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EXAMINER

NGUYEN, THUONG

ART UNIT	PAPER NUMBER
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2155

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02/19/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/945,188

Applicant(s)

CORNELIUS ET AL.

Examiner

Thuong (Tina) T. Nguyen

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 December 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-6 and 8-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-6 and 8-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>12/18/07</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to the amendment filed on 12/18/07. Claims 2-6, 17, 22, 29 were amended. Claim 1 is canceled. Claim 30 is added. Claims 2-6, 8-30 are pending and represent method and system for remotely managing a data processing system via a communications network.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 4, 17, 22 & 29 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. It's unclear to the examiner how to coordinating the management of the technical parameter? Based on what "factor" to coordinate?

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2-6, 17-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Raverdy, Patent No. 2002/0068631 in view of Daniels, Patent No. 5,758,126.

Raverdy teaches the invention substantially as claimed including system and method to support gaming in an electronic network (see abstract).

6. As to claim 4, Raverdy teaches a method for managing a remote data processing system comprising:

communicating with a remote data processing system associated with a trading partner on at least one technical parameter of the remote data processing system (page 4, paragraph 52 & 58; Raverdy discloses that the method of transferring ownership or certified between trading participants to update or download the appropriate software versions or determined the current version for an updating services), wherein the at least one technical parameter includes information related to operation characteristics of any one of the remote data processing system, the communications network and a base data processing system in communication with the remote data processing system via the communication network (page 3, paragraph 43 – page 4, paragraph 48; Raverdy discloses that the method of providing the communication network information such as user device, bi-directionally communication of the communication network and an I/O interface between system);

receiving a message on the at least one technical parameter via the communication network (figure 6 & 9; page 3, paragraph 37; Raverdy discloses that the method of communicate directly with other user devices to perform various types of procedures);

presenting the message on a user interface for review (figure 8; page 7, paragraph 83-87; Raverdy discloses that the method of presenting the certified history for review).

But Raverdy failed to teach the claim limitation wherein automatically, without user involvement, coordinating the management of the at least one technical parameter for trading partners within a trading group.

However, Daniels teaches customizable bidirectional EDI translation system (see abstract). Daniels teaches the limitation wherein automatically, without user involvement, coordinating the management of the at least one technical parameter for trading partners within a trading group (col 1, lines 20-45; col 2, lines 10-20; col 6, lines 30-60).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Raverdy in view of Daniels so that the system would be able to perform in a simple and inexpensive way. One would be motivated to do so to required minimum human intervention.

7. As to claim 2, Raverdy and Daniels teach the method as recited in claim 4 wherein the communicating comprises polling a remote business-to-business server as the remote data processing system to obtain the at least one technical parameter concerning an operational status of at least one of software and hardware of the remote business-to-business server (page 6, paragraph 73-74; Raverdy discloses that the method of providing the appropriate configuration information to the particular user device corresponding the user profile).

8. As to claim 3, Raverdy and Daniels teach the method as recited in claim 4 wherein the communicating comprises polling a remote business-to-business server at the remote data processing system to obtain the at least one technical parameter of at least one of software and hardware of the remote business-to-business server (page 6, paragraph 73-74; Raverdy discloses that the method of providing the appropriate configuration information to the particular user device corresponding the user profile).

9. As to claim 5, Raverdy and Daniels teach the method as recited in claim 4 wherein the at least one technical parameter is selected from the group consisting of:

hardware configuration of the remote data processing system, hardware configuration of the base data processing system, software configuration of the remote data processing system, software configuration of the base data processing system, an installed version of a remote software module, an installed version of a base software module, an installed type of remote software module, an installed type of base software module, operational status data, performance metric data on performance of the remote data processing system, and performance metric data on performance of the base data processing system (page 1, paragraph 15; page 2, paragraph 16; Raverdy discloses that the method of determined the appropriate software version to install to particular user).

10. As to claim 6, Raverdy and Daniels teach the method as recited in claim 4 wherein the at least one technical parameter comprises operational status data of at least one of the remote data processing system, the base data processing system, and the communications network (figure 1; page 2, paragraph 32; Raverdy discloses that

the method of present the wireless telecommunication device configuration to a user devices).

11. As to claim 17, Raverdy teaches a system for managing a remote data processing system comprising:

a managing communications interface for supporting communication with a remote data processing system associated with a trading partner on at least one technical parameter of the remote data processing system (page 4, paragraph 52 & 58; Raverdy discloses that the system of transferring ownership or certified between trading participants to update or download the appropriate software versions or determined the current version for an updating services), wherein the technical parameter data includes information related to operation characteristics of any one of the remote data processing system, the communications network and a base data processing system in communication with the remote data processing system via the communications network (page 3, paragraph 43 – page 4, paragraph 48; Raverdy discloses that the method of providing the communication network information such as user device, bi-directionally communication of the communication network and an I/O interface between system);

monitor for receiving a report message on the at least one technical parameter via the communications network (figure 6 & 9; page 3, paragraph 37; Raverdy discloses that the method of communicate directly with other user devices to perform various types of procedures); and

an interpreter for interpreting, without human intervention, the report message for presentation on a user interface (figure 8; page 7, paragraph 83-87; Raverdy discloses that the method of presenting the certified history for review).

But Raverdy failed to teach the claim limitation wherein automatically, without user involvement, coordinating the management of the at least one technical parameter for trading partners within a trading group.

However, Daniels teaches the limitation wherein automatically, without user involvement, coordinating the management of the at least one technical parameter for trading partners within a trading group (col 1, lines 20-45; col 2, lines 10-20; col 6, lines 30-60).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Raverdy in view of Daniels so that the system would be able to perform in a simple and inexpensive way. One would be motivated to do so to required minimum human intervention.

12. As to claim 18, Raverdy and Daniels teach the system as recited in claim 17 wherein the remote data processing system comprises a remote business-to-business server (page 6, paragraph 73-74; Raverdy discloses that the system of providing the appropriate configuration information to the particular user device corresponding the user profile).

13. As to claim 19, Raverdy and Daniels teach the system as recited in claim 17 wherein a presentation module for preparing a presentation of the report message on the user interface for review (figure 3).

14. As to claim 20, Raverdy and Daniels teach the system as recited in claim 17 wherein the at least one technical parameters is selected from the group consisting of:

hardware configuration of the remote data processing system, hardware configuration of the base data processing system, software configuration of the remote data processing system, software configuration of the base data processing system, an installed version of a remote software module, an installed version of a base software module, an installed type of remote software module, an installed type of base software module, operational status data, performance metric data on performance of the remote data processing system, and performance metric data on performance of the base data processing system (page 1, paragraph 15; page 2, paragraph 16; Raverdy discloses that the system of determined the appropriate software version to install to particular user).

15. As to claim 21, Raverdy and Daniels teach the system as recited in claim 17 wherein the at least one technical parameter comprises operational status data (figure 6).

16. As to claim 22, Raverdy teaches a system for managing a remote data processing system comprising:

wherein the at least one technical parameter data includes information related to operation characteristics of any one of the remote data processing system, the communications network and a base data processing system in communication with the remote data processing system via the communications network (page 3, paragraph 43 – page 4, paragraph 48; Raverdy discloses that the method of providing the

communication network information such as user device, bi-directionally communication of the communication network and an I/O interface between system)

a data manager for retrieving reference technical parameter data from a reference parameters storage (page 2, paragraph 16; Raverdy discloses that the system of determined if the security provisions are not adequate for completing, transferring procedure to determined if the user has appropriate encryption software, which means the system has to retrieve the information stored in the server to determined that condition); and

a data processor for determining whether the received technical parameter data of the message complies with the retrieved reference technical parameter data (page 8, paragraph 100; Raverdy discloses that the system of determined whether appropriate versions of encryption software are currently installed to support the transfer procedure between the trading partners).

monitor for receiving a report message on at least one technical parameter of a remote data processing system via the communications network (figure 6 & 9; page 3, paragraph 37; Raverdy discloses that the method of communicate directly with other user devices to perform various types of procedures).

But Raverdy failed to teach the claim limitation wherein the remote data processing system is revised automatically and without intervention of a user when the received technical parameter data does not comply with the retrieved reference technical parameter data.

However, Daniels teaches the limitation wherein the remote data processing system is revised automatically and without intervention of a user when the received technical parameter data does not comply with the retrieved reference technical parameter data (col 1, lines 20-45; col 2, lines 10-20; col 6, lines 30-60).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Raverdy in view of Daniels so that the system would be able to perform in a simple and inexpensive way. One would be motivated to do so to required minimum human intervention.

17. As to claim 23, Raverdy and Daniels teach the system as recited in claim 22 wherein a base communications interface adapted to poll the remote data processing system associated with a trading partner on the at least one technical parameter of the remote data processing system (page 6, paragraph 73-74; Raverdy discloses that the system of providing the appropriate configuration information to the particular user device corresponding the user profile).

18. As to claim 24, Raverdy and Daniels teach the system as recited in claim 22 wherein a managing communications interface for sending a revision to the remote data processing system if the data processor determined that the same software modules are not specified in the reference technical parameter data and the received technical parameter data (page 6, paragraph 73-74; Raverdy discloses that the system of uploading an appropriate software version or encryption to the system).

19. As to claim 25, Raverdy and Daniels teach the system as recited in claim 22 wherein a managing communications interface for sending a revision to the remote data

processing system if the data processor determined that the same software type of software modules are not specified in the reference technical parameter data and the received technical parameter data (page 6, paragraph 73-74; Raverdy discloses that the system of upgrading or updating the appropriate software version or encryption to the system.

20. As to claim 26, Raverdy and Daniels teach the system as recited in claim 22 wherein a managing communications interface for sending a revision to the remote data processing system if the data processor determined that the same version of software modules are not specified in the reference technical parameter data and the received technical parameter data (page 6, paragraph 73-74; Raverdy discloses that the system of upgrading or updating the appropriate software version or encryption to the system.

21. As to claim 27, Raverdy and Daniels teach the system as recited in claim 22 wherein the data processor is coupled to a storage device, the storage device including at least one of a reference parameters storage, a received parameters storage, and an upgrade module storage for storing upgrade software modules (page 6, paragraph 73-74; Raverdy discloses that the system of updating or upgrading version software or encryption for the particular software for the users).

22. As to claim 28, Raverdy and Daniels teach the system as recited in claim 22 wherein the data manager and a user interface support a user's revision of reference parameters of the reference parameters storage to add, delete, or modify at least one software feature of the remote data processing system (figure 3 & 6).

Art Unit: 2155

23. As to claim 30, Raverday and Daniels teach the system as recited in claim 22 wherein a user interface in communication with the monitor, wherein the user interface displays a second message based on the determining whether the received technical parameter data complies with the retrieved reference technical parameter data (figure 2 & 8).

24. Claim 29, 8-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Raverdy, Patent No. 2002/0068631 A1 in view of Daniels, Patent No. 5,758,126 and further in view of Kidder, Patent No. 6,455, 774 B1.

Raverdy teaches the invention substantially as claimed including system and method to support gaming in an electronic network (see abstract).

25. As to claim 29, Raverdy teaches a method for managing a remote data, comprising:

wherein the technical parameter data includes information related to operation characteristics of any one of the remote data processing system, the communications network and a base data processing system in communication with the remote data processing system via the communications network (page 3, paragraph 43 – page 4, paragraph 48; Raverdy discloses that the method of providing the communication network information such as user device, bi-directionally communication of the communication network and an I/O interface between system)

Art Unit: 2155

retrieving reference technical parameter data from a reference parameters storage based on the message (page 2, paragraph 16; Raverdy discloses that the system of determined if the security provisions are not adequate for completing, transferring procedure to determined if the user has appropriate encryption software, which means the method has to retrieve the information stored in the server to determined that condition); and

determining whether the received technical parameter data of the message complies with the retrieved reference technical parameter data (page 8, paragraph 100; Raverdy discloses that the method of determined whether appropriate versions of encryption software are currently installed to support the transfer procedure between the trading partners);

receiving on a monitor a message containing technical parameter data on a remote data processing system via the communications network (figure 6 & 9; page 3, paragraph 37; Raverdy discloses that the method of communicate directly with other user devices to perform various types of procedures);

displaying on a user interface confirmation that the revising has been completed (figure 8; page 7, paragraph 83-87; Raverdy discloses that the method of presenting the certified history for review).

But Raverdy failed to teach the claim limitation wherein automatically revising without user involvement, the remote data processing system should the determining indicates that received technical parameter data of the message does not comply with

the retrieved reference technical parameter data; displaying on a user interface confirmation that the revising has been completed.

However, Daniels teaches the limitation wherein automatically revising without user involvement, the remote data processing system should the determining indicates that received technical parameter data of the message does not comply with the retrieved reference technical parameter data (col 1, lines 20-45; col 2, lines 10-20; col 6, lines 30-60).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Raverdy in view of Daniels so that the system would be able to perform in a simple and inexpensive way. One would be motivated to do so to required minimum human intervention.

However, Kidder teaches system for automated workflow in a network management and operations system (see abstract). Kidder teaches the limitation wherein displaying on a user interface confirmation that the revising has been completed (col 12, lines 28-50).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the combination of Raverdy and Kavanagh in view of Kidder so that monitor the activities. One would be motivated to do so to be able to resolve the problems and received the confirmation once the processes completed.

26. As to claim 8, Raverdy, Daniels and Kidder teach the method as recited in claim 29 wherein polling a second remote data processing system that is associated with a trading partner on the technical parameter data of the remote data processing system

Art Unit: 2155

(page 6, paragraph 73-74; Raverdy discloses that the method of providing the appropriate configuration information to the particular user device corresponding the user profile).

27. As to claim 9, Raverdy, Daniels and Kidder teach the method as recited in claim 29 wherein sending a revision to the remote data processing system if at least one software component of the remote data processing system is noncompliant with the reference technical parameter data (page 6, paragraph 73-74; Raverdy discloses that the method of uploading an appropriate software version or encryption to the system).

28. As to claim 10, Raverdy, Daniels and Kidder teach the method as recited in claim 29 wherein sending an upgrade software module to the remote data processing system if the same types of software modules are not specified in the reference technical parameter data and the received technical parameter data (page 6, paragraph 73-74; Raverdy discloses that the method of upgrading or updating the appropriate software version or encryption to the system).

29. As to claim 11, Raverdy, Daniels and Kidder teach the method as recited in claim 10 wherein installing the upgrade software module after receipt of confirmation that a requisite hardware upgrade for supporting the upgrade software module has been successfully completed (page 6, paragraph 73-74; Raverdy discloses that the method of installing an appropriate software version of encryption to the system).

30. As to claim 12, Raverdy, Daniels and Kidder teach the method as recited in claim 29 wherein delaying a transmission of a revision to the remote data processing system if the same software components are not specified in the reference technical parameter

data and the received technical parameter data and if the remote data processing system requires a hardware upgrade to support the revision (page 4, paragraph 52; page 5, paragraph 61; Raverdy discloses that the method of determined if the software application is outdated and if the software in the system is the right version and will proceed the procedure accordingly).

31. As to claim 13, Raverdy, Daniels and Kidder teach the method as recited in claim 29 wherein sending a desired version of an upgrade software module to the remote data processing system if the same versions of software modules are not specified in the reference technical parameter data and the received technical parameter data (page 6, paragraph 73-74; Raverdy discloses that the method of upgrading or updating the appropriate software version or encryption to the system).

32. As to claim 14, Raverdy, Daniels and Kidder teach the method as recited in claim 13 wherein installing the desired version of the upgrade software module after receipt of confirmation that a requisite hardware upgrade for supporting the desired version of the upgrade software module has been successfully completed (page 6, paragraph 73-74; Raverdy discloses that the method of installing an appropriate software version of encryption to the system).

33. As to claim 15, Raverdy, Daniels and Kidder teach the method as recited in claim 29 wherein delaying a transmission of a desired version of an upgrade software module to the remote data processing system if the same versions of software modules are not specified in the reference technical parameter data and the received technical parameter data and if the remote data processing system requires a hardware upgrade

to support the desired version of the upgrade software module (page 4, paragraph 52; page 5, paragraph 61; Raverdy discloses that the method of determined if the software application is outdated and if the software in the system is the right version and will proceed the procedure accordingly).

34. As to claim 16, Raverdy, Daniels and Kidder teach the method as recited in claim 29 wherein revising the reference parameters storage such that a reference configuration is defined by the technical parameter data and includes a new feature for installation at the remote data processing system (page 5, paragraph 60 & 68; Raverdy discloses that the method of determined the appropriate technical parameter from the user profile and upload or download the various types of information accordingly).

Response to Arguments

Applicant's arguments with respect to claims 4, 17, 22 & 29 have been considered but are moot in view of the new ground(s) of rejection.

Response to Arguments

Applicant's arguments filed 12/18/07 have been fully considered but they are not persuasive. In response to Applicant's argument, the Patent Office maintains the rejection. In the remarks, the applicant argues in substance that; A) Raverdy failed to disclose installing an upgrade software module after receipt of confirmation that requisite hardware upgrade has been successfully completed; B) Raverdy failed to

disclose delaying transmission of a revision or a desired version of an upgrade software module.

In response to A); Applicants argue that Raverdy does not teach installing an upgrade software module after receipt of confirmation that requisite hardware upgrade has been successfully completed. In response to Applicant's argument, the Patent Office maintains the rejection because Raverdy does teach installing an upgrade software module after receipt of confirmation that requisite hardware upgrade has been successfully completed (figure 9; page 4, paragraph 52; page 6, paragraph 73-74; Raverdy discloses that the method of installing an appropriate software version of encryption to the system). Moreover, Raverdy discloses that the method of determined whether a version of the application software is out of date or not, then perform the installation. Therefore, Raverdy meets the claim limitation.

In response to B); Applicants argue that Raverdy does not teach delaying transmission of a revision or a desired version of an upgrade software module. In response to Applicant's argument, the Patent Office maintains the rejection because Raverdy does teach delaying transmission of a revision or a desired version of an upgrade software module. (page 4, paragraph 52; page 5, paragraph 61; Raverdy discloses that the method of determined if the software application is outdated and if the software in the system is the right version and will proceed the procedure accordingly). Moreover, Raverdy discloses that the method of determined whether should install or upgrade new software or newer version of that particular software. Therefore, Raverdy meets the claim limitation.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thuong (Tina) Nguyen whose telephone number is 571-272-3864, and the fax number is 571-273-3864. The examiner can normally be reached on 8:00 AM-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on 571-272-4006. The fax phone number

Art Unit: 2155

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thuong (Tina) Nguyen
Patent Examiner/Art Unit 2155



SALEH NAJJAR
SUPERVISORY PATENT EXAMINER